

1 MR. WIGGINS: Thank you, Mr. Rankin.

2 Q (By Mr. Wiggins) Ms. Strow, do you have a
3 summary to give today?

4 A Yes, I do.

5 Q Would you proceed with that summary, please?

6 A Yes, I will. Good afternoon, Commissioners.
7 The purpose of my testimony before this commission is to
8 provide information to assist the Commission in making a
9 determination as to whether BellSouth has met its 271
10 obligations under the Telecommunications Act of 1996.

11 My testimony before this commission can only
12 result in one finding and that is that BellSouth has not
13 met its requirements under the Act, and therefore should
14 not be permitted into the in-region interLATA market in
15 Florida at this time.

16 I am here to share with you Intermedia's
17 experience with BellSouth in Florida. Intermedia was
18 one of the first competitive companies to provide local
19 service in Florida and has a ten-year history as a
20 telecommunications provider in this state.

21 Intermedia entered into an interconnection
22 agreement with BellSouth on June 21st, 1996 and the
23 agreement was approved by this Commission on July 1st.
24 1996. It is true that Intermedia entered into the
25 negotiated agreement with BellSouth voluntarily.

1 Intermedia's approach to interconnection agreements has
2 been one of cooperation, not one that is adversarial.

3 Intermedia will only seek arbitration in cases
4 where the incumbent LEC interprets the Communications
5 Act in a way that denies Intermedia critical elements or
6 services, and to date Intermedia has only arbitrated
7 against one ILEC, and even then only arbitrated a single
8 issue.

9 Let me make one point clear, however. If
10 BellSouth had ever indicated to Intermedia that the
11 unbundled network elements Intermedia was seeking were
12 not required by the Act or would not be provided by
13 BellSouth, Intermedia would not have hesitated to
14 arbitrate that issue before this commission.

15 I am disappointed and surprised that
16 BellSouth's witnesses have suggested that BellSouth is
17 not required under the Act to provide the unbundled data
18 network elements requested by Intermedia, and that
19 BellSouth will only provide those network elements
20 required by this commission through arbitrated cases.

21 If this is BellSouth's position, then I can
22 only say it represents a major step backward in our
23 relationship with BellSouth and violates written and
24 spoken agreements that Intermedia has had with BellSouth
25 for over a year. In fact, BellSouth's position

1 penalized Intermedia for attempting to negotiate with
2 BellSouth instead of going immediately to arbitration
3 before this Commission.

4 Had we thought for one moment that this was
5 the BellSouth position, we would have taken different
6 steps to resolve it. Intermedia would certainly not
7 have used its resources to work toward developing and
8 implementing the data network elements that are
9 described in the correspondence attached to my
10 testimony. We certainly would not have a team of people
11 in Birmingham meeting with BellSouth today to work
12 through the issues if we thought that BellSouth would
13 ultimately refuse to provide us the data oriented
14 network elements that we require.

15 In fact, this commission has experienced over
16 the last week what Intermedia has experienced over the
17 last four months. BellSouth has continually vacillated
18 in its position providing Intermedia with confused and
19 contradictory promises. In this proceeding, three of
20 BellSouth's witnesses have provided contradictory
21 testimony on what network elements BellSouth is actually
22 providing to Intermedia, what the BellSouth Intermedia
23 interconnection agreement requires, and even whether
24 BellSouth is obligated to provide unbundled network
25 elements for digital and data services.

1 Intermedia asks this Commission to consider
2 this demonstration of inconsistencies, inaccuracies and
3 broken promises as it evaluate's BellSouth's 271
4 application.

5 Intermedia first requested specific unbundled
6 network elements for data services from BellSouth over a
7 year ago. This request for unbundled elements is the
8 single most critical requirement for Intermedia to serve
9 its business customers throughout Florida. Because
10 Intermedia has chosen to deploy state of the art
11 facilities in its network, data services and facilities
12 capable of providing them are a critical part of
13 Intermedia's business plan. This is why obtaining
14 unbundled network elements from BellSouth that are
15 capable of providing digital dates services is so
16 important to Intermedia.

17 The fact that BellSouth has not provided
18 cost-based rates for digital elements that they
19 committed in contract to provide to Intermedia should be
20 the most -- excuse me, should be most telling to this
21 commission as to whether BellSouth has met reasonable
22 requirements for interconnection.

23 I want to be clear on this point because the
24 record of this proceeding has focused largely on the
25 provision of plain old telephone service over standard

1 analog loops. This is understandable because today the
2 majority of circuits provided by BellSouth to new
3 entrants consists of voice services over analog
4 facilities.

5 In the next few years, however, this will
6 change, and increasingly complex services from
7 combination of voice and data services to full motion
8 video will be increasingly -- will increasingly be
9 demanded by both business and residential customers.

10 The digital network that Intermedia is
11 building will be the backbone architecture over which
12 these services, as well as plain old telephone service,
13 will be provided. For this reason, this proceeding
14 cannot be just about voice service or just about
15 resale. The Communications Act clearly contemplated the
16 provision of a whole spectrum of competitive local
17 services including voice, data and video.

18 While digital data services are the wave of
19 the future, Intermedia has a critical need for unbundled
20 data elements for the services that it provides to its
21 customers today.

22 Currently, while Intermedia provides a large
23 volume of voice circuits, the majority of the circuits
24 it provides are for data services. Every time a
25 customer uses a credit card in a store or a bank card in

1 an ATM machine, the cash register or the ATM uses a data
2 circuit to check whether the card is valid. All kinds
3 of businesses, from large car dealerships to drug store
4 chains, use data circuits to monitor changes in
5 inventory every time a sale is made.

6 The use of fax machines by both business and
7 residential users is exploding, and the use of internet
8 for both business and residential applications is
9 growing exponentially.

10 All of the applications use data circuits, and
11 these represent the majority of the services that
12 Intermedia is providing now. This is why Intermedia is
13 so focused on obtaining unbundled network elements from
14 BellSouth that are capable of providing data services.

15 These are the unbundled network elements that
16 Intermedia requested from BellSouth well over a year
17 ago. These are the elements that are still not being
18 provided by BellSouth. BellSouth will tell you that
19 these elements have been available to Intermedia since
20 March of 1997.

21 I respond that what was available is nothing
22 more than words on paper and a price list. There have
23 been no final service descriptions provided to
24 Intermedia verifying that what BellSouth is willing to
25 provide is what Intermedia requested. No end-to-end

1 test of the elements when used in combination with
2 Intermedia's network to ensure that they work as
3 requested by Intermedia.

4 More importantly, and fundamentally, if
5 Intermedia wanted to place an order today for the
6 elements, there are no processes or systems in place to
7 submit such an order to BellSouth.

8 Other unbundled loops and elements of this
9 type that have supposedly been available for some time
10 from BellSouth also have no support.

11 When Intermedia placed an order for such an
12 element, a DS1 loop, in late May, it took six weeks to
13 complete the order. In contrast, when BellSouth -- when
14 a BellSouth customer orders a DS1 circuit from
15 BellSouth, BellSouth typically provides it in five to
16 ten business days.

17 The delay in Intermedia's case stems from the
18 fact that there are no systems or processes in place to
19 support Intermedia's order. This was for an unbundled
20 element that supposedly has been available for sometime
21 and is a very common element used in typical business
22 applications.

23 Last, there are no operational support systems
24 in place to support preordering, ordering, provisioning,
25 billing, maintenance and repair for the more complex

1 unbundled network elements, and for that matter for the
2 more complex resale services from BellSouth.

3 BellSouth in its testimony admits this point
4 in that only four complex services are supported by the
5 systems BellSouth holds up as meeting the OSS
6 requirements of the Communications Act. It is clear
7 from the evidence presented in this proceeding that
8 BellSouth's OSS offering to competitive local exchange
9 carriers does not meet the equivalency standard required
10 by the Communications Act and the FCC's recent Ameritech
11 order.

12 This conclusion is supported by reports --
13 excuse me, this conclusion is supported by reports that
14 BellSouth itself commissioned that show that the
15 performance of its LCSC operations is inadequate to meet
16 the equivalency standard.

17 For unbundled network elements, virtually no
18 OSS is in place, and even for resale, the OSS system
19 that BellSouth has put in place have experienced severe
20 difficulties.

21 Can BellSouth ultimately make these elements
22 and resold services available as envisioned by the
23 Communications Act, and provide them via systems and
24 processes that allow efficient ordering, provisioning,
25 billing and maintenance? It's too early to know yet.

1 Therefore any action by this Commission to grant
2 BellSouth's 271 application would be premature.

3 In light of BellSouth's failure to provide
4 Intermedia with unbundled network elements as required
5 by the Communications Act and the executed
6 interconnection agreement with Intermedia, and in light
7 of BellSouth's failure to provide OSS processes and
8 systems equivalent to that provided to itself,
9 Intermedia respectfully requests that this Commission
10 deny BellSouth's 271 request at this time. Thank you.

11 Q Does that conclude your summary?

12 A Yes, it does.

13 MR. WIGGINS: Madam Chairman, the witness is
14 available for cross examination.

15 CHAIRMAN JOHNSON: Any other parties with
16 cross examination?

17 MS. CULPEPPER: Madam Chairman, Staff would
18 ask that its exhibits be marked at this time.

19 We ask that Exhibit JS-13, which is the
20 deposition transcript, exhibits and late-filed exhibits
21 and the errata sheet of Ms. Strow be marked as Exhibit
22 78.

23 CHAIRMAN JOHNSON: It will be so marked.

24 MS. CULPEPPER: And we ask that Exhibit JS-14,
25 which are Intermedia's Responses to Staff's

1 Interrogatories, be marked as Exhibit 79.

2 CHAIRMAN JOHNSON: Be marked 79.

3 MS. CULPEPPER: Thank you.

4 (Exhibit Nos. 78 and 79 marked for
5 identification.)

6 CHAIRMAN JOHNSON: Bell?

7 MR. RANKIN: Thank you, Madam Chairman

8 CROSS EXAMINATION

9 BY MR. RANKIN:

10 Q Good afternoon, Ms. Strow. Ed Rankin on
11 behalf of BST.

12 In Florida, ICI is presently providing local
13 service through both resale and through the use of its
14 own facilities; is that right?

15 A Yes, that is correct.

16 Q And I believe Intermedia is providing local
17 services to residence customers only on a resold basis;
18 is that right?

19 A Yes, that's correct, with one slight
20 modification, it is also on a very incidental basis.
21 That is not our target market.

22 Q What's the slight modification or slight
23 exception?

24 A That it's only on an incidental basis.

25 Q On an incidental basis? You're not marketing

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November 4, 1997

VIA OVERNIGHT COURIER

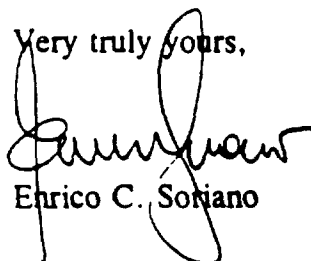
Ms. Terri M. Lyndall
Executive Secretary
Georgia Public Service Commission
Room 154
244 Washington Street, S.W.
Atlanta, Georgia 30334

**Re: Performance Measurements for Telecommunications
Interconnection, Unbundling, and Resale, Docket No. 7892-U**

Dear Secretary Lyndall:

Enclosed herewith for filing in the above-captioned proceeding are the original and eight (8) copies of Julia Strow's rebuttal testimony on behalf of Intermedia Communications Inc. Also enclosed is a diskette containing same. Please date-stamp the extra copy of this rebuttal testimony and return to the undersigned counsel in the enclosed self-addressed, stamped envelope.

Very truly yours,



Enrico C. Soriano

encl.

cc: Service List (w/ encl.)

**Before the
GEORGIA PUBLIC SERVICE COMMISSION**

In the Matter of:)	
)	
Performance Measurements for)	DOCKET NO. 7892-U
Telecommunications Interconnection,)	
Unbundling and Resale)	

**REBUTTAL TESTIMONY OF JULIA STROW
ON BEHALF OF INTERMEDIA COMMUNICATIONS INC.
NOVEMBER 4, 1997**

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**BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
REBUTTAL TESTIMONY OF JULIA STROW
ON BEHALF OF INTERMEDIA COMMUNICATIONS INC.**

**DOCKET NO. 7892-U
NOVEMBER 4, 1997**

**Q: PLEASE STATE YOUR NAME, EMPLOYER, POSITION, AND
BUSINESS ADDRESS.**

A: My name is Julia Strow. I am employed by Intermedia Communications Inc.
("Intermedia") as Director, Strategic Planning and Industry Policy. My
business address is 3625 Queen Palm Drive, Tampa, Florida 33619.

Q: WHAT ARE YOUR RESPONSIBILITIES IN THAT POSITION?

A: I am the primary interface between Intermedia and the incumbent local
exchange carriers ("ILECs"). In that capacity, I am involved in
interconnection negotiations and arbitrations between Intermedia and the
ILECs. I am also primarily responsible for strategic planning and the setting
of Intermedia's regulatory policy.

Q: ON WHOSE BEHALF ARE YOU TESTIFYING TODAY?

A: I am testifying on behalf of Intermedia.

**Q: PLEASE BRIEFLY DESCRIBE YOUR EDUCATIONAL BACKGROUND
AND PROFESSIONAL EXPERIENCE.**

A: I graduated from the University of Texas in 1981 with a B.S. in
Communications. I joined AT&T in 1983 as a Sales Account Executive
responsible for major market accounts. I subsequently held several positions of
increasing responsibility with BellSouth Telecommunications, Inc.'s
("BellSouth") Marketing Department, with responsibilities for Billing and
Collection and Toll Fraud Services. In 1987, I was promoted to Product
Manager for Billing Analysis Services, with responsibility for the development

and management of BellSouth's toll fraud detection and deterrence products.

In 1988, I was promoted into the BellSouth Federal Regulatory organization.

During my career there, I had responsibility for regulatory policy development for various issues associated with Billing and Collection Services, Access Services, and Interconnection. In 1991, due to a restructuring of the Federal Regulatory organization, my role was expanded to include the development of state and federal policy for the issues I mentioned above. During my last two years in that organization, I supported regulatory policy development for local competition, interconnection, unbundling, and resale issues for BellSouth. I joined Intermedia in April 1996 as Director of Strategic Planning and Regulatory Policy.

Q: PLEASE DESCRIBE INTERMEDIA.

A: As one of the country's largest and fastest growing competitive local exchange carriers, Intermedia provides a full range of local and long distance, voice and data services (including Internet services) to business and government end users customers, long distance carriers, information service providers, resellers, and wireless carriers. As a result of Intermedia's recent acquisition of DIGEX Incorporated, a national Internet service provider, Intermedia is now able to provide Internet connectivity, web site management, and private network solutions on a nationwide basis. In Georgia, Intermedia is authorized to provide both interexchange and competitive local exchange services.

Q: IS INTERMEDIA PROVIDING SERVICE IN GEORGIA AT THIS TIME?

A: Yes. Intermedia is providing voice and data services to business customers through resale and through its own network.

Q: HAS INTERMEDIA NEGOTIATED SPECIFIC PERFORMANCE MEASURES WITH BELLSOUTH?

A: No, Intermedia has not negotiated specific measurements with BellSouth that apply specifically to Intermedia. I understand, however, that BellSouth has negotiated specific performance measurements with AT&T, Time Warner, and US South (*see* Stacy Testimony, at 9).

Q: DOES INTERMEDIA INTEND TO NEGOTIATE SPECIFIC MEASUREMENTS WITH BELLSOUTH?

A: Intermedia believes that the Commission should establish measurement requirements that are generally applicable to all competitive local exchange carriers ("CLECs"). As discussed in greater detail below, Intermedia believes that these should be the minimum requirements, and that CLECs should also have the option of negotiating additional performance requirements with BellSouth. If Intermedia feels that the performance measurements ultimately adopted by the Commission do not fully address Intermedia's requirements, Intermedia will negotiate with BellSouth for additional measurements.

Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A: The purpose of my testimony is to respond to the issues and factual assertions set out in the testimony filed by various parties in this proceeding. I will demonstrate that the performance measures proposed by AT&T and several other parties are more appropriate than those proposed by BellSouth. I will demonstrate further that, while these performance measures are a good starting point, they should be expanded to address issues relating to all types of data services provided by BellSouth. Similarly, Intermedia believes that specific comparative measurements relating to BellSouth's Local Carrier Service Center ("LCSC") and other BellSouth internal organizations must be provided.

Q: PLEASE SUMMARIZE YOUR TESTIMONY.

A: The Commission should establish generally applicable performance measurements to monitor and prevent the occurrence of discrimination. In addition, there should be detailed surveillance reporting requirements to determine if anticompetitive practices are occurring. Where discrimination is ascertained, there should be commensurate penalties that "fit the crime." Intermedia recommends the standards proposed by the Local Competition Users' Group ("LCUG") as a starting point. These standards, however, should be expanded to include additional data services. Moreover, there should also be specific measurements to ascertain parity of performance between BellSouth organizations that service competing carriers and

BellSouth's own retail customers. Finally, the Commission should adopt an expedited complaint process to resolve performance issues.

Q: DO YOU AGREE WITH BELL SOUTH'S ASSERTION THAT THE ADOPTION OF PERFORMANCE MEASUREMENTS ARE UNNECESSARY IN A COMPETITIVE ENVIRONMENT (SEE VARNER TESTIMONY, AT 3)?

A: Not entirely. The keyword here is "competitive." As a general proposition, Intermedia believes that performance measurements will always be necessary to detect--and correct, where warranted--the presence of discrimination, particularly where, as is the case in Georgia and the entire BellSouth territory, the incumbent local exchange carrier is the primary source of interconnection, unbundled network elements, and resale services. Only through ascertainable and quantifiable performance measures can the Commission determine whether BellSouth is conferring undue competitive advantages upon itself and/or its affiliates. Similarly, performance measurements can act as a deterrent to potential abuses and anticompetitive practices. Thus, performance measurements can be used by the Commission to assess "recidivism".

Intermedia agrees that a *comprehensive* set of performance measurements may not be necessary in a fully "competitive" marketplace. However, as the record in various local exchange proceedings conducted by the Commission unequivocally demonstrates, the Georgia local exchange market is not yet fully competitive. And even if the local exchange market in Georgia were to reach

that stage, performance measurements would still be appropriate, although perhaps in a less comprehensive form.

Q: DO YOU AGREE WITH BELL SOUTH'S SUGGESTION THAT THE BETTER APPROACH IS TO ENCOURAGE PARTIES TO NEGOTIATE APPROPRIATE PERFORMANCE MEASUREMENTS (SEE VARNER TESTIMONY, AT 4)?

A: No. While voluntary negotiations may be appropriate in some instances, it may not work for some competitive local exchange carriers ("CLECs"). For example, smaller CLECs may not have the bargaining power that bigger CLECs have to obtain favorable results and/or concessions from BellSouth. Similarly, as the experiences of CLECs in Georgia bear out, negotiations are time-consuming, resource-intensive, and fraught with delays. In addition, if a party to a contract violates a contractual provision, the other party typically must sue for relief, resulting in delay and costly litigation.

Q: ARE YOU SAYING THAT CONTRACTUALLY NEGOTIATED PERFORMANCE MEASUREMENTS HAVE NO UTILITY?

A: No. Intermedia believes that as an adjunct to, or in combination with, Commission-mandated performance measures, parties should be free to negotiate performance measures that are more comprehensive or stricter than those required by the Commission. Thus, the Commission-mandated performance measures become the "floor," not the "ceiling," upon which BellSouth's performance may be measured. In effect, CLECs who do not

desire, for whatever reason, to negotiate performance measures specific to them, are given some assurances that BellSouth will not discriminate against them. Similarly, CLECs who feel that BellSouth should be held to higher standards, have the option to negotiate with BellSouth.

Q: DO YOU AGREE WITH BELL SOUTH'S RECOMMENDATION THAT PERFORMANCE MEASURES, IF ADOPTED, SHOULD BE ONLY TEMPORARY (SEE VARNER TESTIMONY, AT 4)?

A: No. There should be continuing performance measurement requirements to guard against discriminatory practices. This does not mean, however, that the Commission cannot revisit this issue in the future to determine whether adjustments should be made. Indeed, the Commission is empowered to change, add to, or rescind (in full or in part) its regulations, subject to due process and other administrative considerations. In this proceeding, however, the Commission should not indicate that the performance measurements are only temporary, nor should the Commission include a "sunset" provision.

Q: ARE YOU FAMILIAR WITH BELL SOUTH'S USE OF STATISTICAL PROCESS CONTROL ("SPC") (SEE STACY TESTIMONY, AT 10)?

A: I am not a statistician, but it is my understanding that BellSouth has proposed to map its operational data distribution using SPC, a statistical quality monitoring system. To set up the SPC, BellSouth will analyze its historical data using statistical tools to determine a mean and standard deviation, and use the standard deviation to set the monitoring control limits. I understand that.

using this SPC quality control chart, BellSouth will superimpose a CLEC's performance data to evaluate the CLEC's operational data distribution for parity.

Q: HAS THERE BEEN ANY CRITICISM OF BELL SOUTH'S USE OF SPC?

A: Yes. The Staff of the Florida Public Service Commission recently found inadequate BellSouth's use of the SPC:

Staff does not believe that BellSouth's Statistical Process Control is adequate to demonstrate nondiscrimination and parity, since the SPC is generally utilized in stable, controlled, single system manufacturing environments. Staff believes that the SPC has had limited application, if any, in the service sector. Staff agrees with AT&T that SPC is not adequate to compare two sets of performance data for nondiscrimination. Staff believes that BellSouth is potentially misapplying the SPC by attempting to use it to monitor multi-system processes in the service environment as witness Pfau argues. Staff agrees with AT&T that the processes utilized to inject competition in the local exchange market are rather new processes, and therefore, lack the level of maturity that would warrant classifying these processes as stable.¹

Q: DO YOU AGREE WITH AT&T'S, SPRINT'S, AND MCI'S RECOMMENDATION THAT THE COMMISSION ADOPT THE PERFORMANCE MEASUREMENTS PROPOSED BY THE LOCAL COMPETITION USERS GROUP?

¹ *Consideration of BellSouth Telecommunications Inc.'s Entry into InterLATA Services Pursuant to Section 271 of the Federal Telecommunications Act of 1996, Docket No. 960786-TL, Staff Recommendation (Oct. 22, 1997) (Florida Staff Recommendation).*

A: Yes. Intermedia agrees with these parties that the proposed LCUG standards will permit the necessary and comprehensive monitoring contemplated by the 1996 Act. Intermedia concurs that the LCUG measurements allow direct comparison of CLEC and ILEC results rather than comparisons to targets which can mask, rather than detect, discrimination.

Q: **HAS A STATE COMMISSION ENDORSED THE PROPOSED LCUG STANDARDS?**

A: The Staff of the Florida Public Service Commission recently concluded that the LCUG metrics could "serve as an initial step toward nondiscriminatory access."² The Staff further found that "BellSouth should use the LCUG to pattern its performance standards and measurements in the interim."³ While noting that the LCUG is "far from being comprehensive," the Staff observed that the LCUG "appears to be adequate in measuring and monitoring nondiscrimination in the interim."⁴

Q: **IN YOUR OPINION, ARE THE PROPOSED LCUG STANDARDS COMPLETE?**

A: No. Intermedia believes that the LCUG standards are a good starting point; however, the proposed standards do not address, to my knowledge, some of

² *Florida Staff Recommendation*, at 149.

³ *Id.*

⁴ *Id.*

the elements critical to Intermedia. That is, the LCUG standards focus predominantly on traditional voice services. As the Florida Staff recently has found, the "LCUG metrics are just a representative sample of a critical few measures that can serve as the back-bone of an effective measuring plan for nondiscrimination."⁵ Intermedia agrees that these metrics provide minimum levels of acceptable performance that will provide the CLECs a reasonable opportunity to compete. Intermedia recommends that the LCUG standards be expanded, however, to address the provision of data services. While traditional performance standards are helpful, standards that focus on simple and complex data services are critical to those CLECs that provide primarily data-oriented services. In particular, the LCUG standards should be expanded to include measurements for all private line and special access services, resale of all retail data services (simple and complex), and all data unbundled network elements, including 56 and 64 kbps loops and subloop elements.

Q: WHAT OTHER MEASUREMENTS SHOULD THE COMMISSION ADOPT, IN ADDITION TO THOSE RECOMMENDED BY SEVERAL PARTIES IN THIS PROCEEDING?

A: In several State Section 271 proceedings, various parties have indicated major concerns with the ability of BellSouth's LCSC to process CLEC orders where manual intervention is required. Indeed, in Florida, Alabama, and North

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Carolina, in response to data requests from Intermedia, BellSouth produced reports prepared by a paid consultant which demonstrated that the LCSC is inefficient, undertrained, and otherwise dysfunctional. Although BellSouth now claims that these problems have been rectified, recent experiences of CLECs (Intermedia in particular) belie this claim. In light of CLEC concerns that there may be disparity between the ability of the LCSC to process CLEC orders vis a vis the ability of BellSouth's own internal organizations to process orders for BellSouth's retail customers, the Commission should also impose performance requirements that compare the performance of BellSouth's LCSC with BellSouth's own internal organizations. The Commission should require BellSouth to provide the following comparative data: "first time quality" and "orders pending on the questionable activity report." These are the same LCSC measurements found by BellSouth's consultant to be critical. "First time quality" measures the ability of the service representative to process an order, error-free; "orders pending on the questionable activity report" ensures that orders are cleared on a timely basis when and if they have errors. Moreover, the following service measurements should be included: order processing duration (measured in hours from the point of receipt to issuance of firm order confirmation); percent of Local Service Requests processed within 48 hours; percent of calls answered within 16 seconds; percent of calls abandoned; and average number of times clarified orders are resubmitted before being processed. These are the same service measurements found

appropriate by BellSouth's own consultant in evaluating BellSouth's LCSC operations. To Intermedia's knowledge, BellSouth does not provide comparative data for these elements, nor does it measure same for BellSouth's internal organizations.

Q: DO YOU AGREE WITH AT&T, MCI, SPRINT, AND OTHER INTERVENORS THAT THERE SHOULD BE A REPORTING MECHANISM TO MONITOR COMPLIANCE?

A: Yes, Intermedia believes that measurements should be fully documented and should provide sufficient detail to permit meaningful comparisons. Intermedia agrees with AT&T that a surveillance report would permit the Commission to draw conclusions regarding, among other things, whether or not a particular measurement result or group of measurements is consistently flagged. Intermedia also supports AT&T's recommendation that each CLEC should receive a monthly report representing not only its own performance result for each measurement (whether flagged or not), but also aggregate results for all CLECs and the applicable comparative performance standards.

Q: DO YOU AGREE WITH ACSI, AT&T, AND OTHER INTERVENORS THAT THERE SHOULD BE SPECIFIC PENALTIES FOR FAILURE TO MEET SPECIFIC PERFORMANCE MEASUREMENTS?

A: Yes. Intermedia believes that the only way to ensure compliance is if there are financial penalties associated with each violation. While Intermedia does not have any suggestion at this time with respect to the nature and scope of